

**From:** Michael Satterwhite  
**To:** Microsoft ATR  
**Date:** 12/13/01 9:55am  
**Subject:** Mixed feelings

First: overall, I am not sympathetic to the Justice case. As a consumer and independent developer, I see little to no merit in the original case. Specifically:

(1) They were charged with anti-competitive practices for giving away their browser. Excuse me? Netscape had been giving away *\*THEIR\** browser for for years when Microsoft came on the screen. You *\*COULD\** buy Netscape, but you could also download it free with full licensing off their web site. How is it wrong for Microsoft to do the exact same thing that their competitor was doing?

(2) It was offered as an anticompetitive practice that Microsoft priced Windows at the price that would bring in the most money - essentially in the middle of the range that they could charge. A monopoly would charge the maximum. True anticompetitive practice would demand the minimum. Microsoft simply did what was fiscally sound.

(3) The very definition of monopoly was manipulated to create one. Let's ignore Apple and Linux (the consumers have, but that's the nature of a free market!!) Forget the Unix market. Once you rule out everything except the market Microsoft is in, then you have a monopoly. That's not right.

That said, Microsoft is powerful enough that the government should probably keep *\*LEGITIMATE\** oversight to keep them "honest". As an example (but not limited to), their new "activation license" has tremendous power to be abused. Each time a copy of the software is installed, you have to activate it through MS. If your hard disk crashes (or you install a larger drive) - and this *\*IS\** going to happen - you have to justify to Microsoft why you are reinstalling the package. They are probably going to be reasonable, but they have the power to prevent the consumer from reinstalling and using software they bought and paid for. This gives Microsoft unprecedented power to control a user's computer. The practice should be questioned, at least.

Things such as this should be monitored for abuse. With this in mind, however, the settlement is correct.